

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1( b)**

Denise Carlon  
KML LAW GROUP, P.C.  
216 Haddon Avenue, Ste. 406  
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Attorney for Movant

**In Re:**

Giuseppe Cianci  
Rita Cianci

DEBTOR(S),



Order Filed on July 17, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No: 16-19448 KCF

Chapter: 13

Hearing Date: 06/28/2017

Judge: Kathryn C. Ferguson

**ORDER VACATING STAY**

The relief set forth on the following page is hereby ordered **ORDERED**.

**DATED: July 17, 2017**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

Upon the motion of MANUFACTURERS AND TRADERS TRUST COMPANY ALSO

KNOWN AS M&T BANK SUCCESSOR BY MERGER TO HUDSON CITY SAVINGS BANK, FSB,

under

Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant, to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

**Land and premises commonly known as 61 Hawthorne Drive, Tinton Falls NJ 07753-7575**

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

*rev. 7/12/16*

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Giuseppe Cianci  
Rita Cianci  
Debtors

Case No. 16-19448-KCF  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jul 18, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 20, 2017.

db/jdb +Giuseppe Cianci, Rita Cianci, 61 Hawthorne Drive, Tinton Falls, NJ 07753-7575

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 20, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 18, 2017 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor MANUFACTURERS AND TRADERS TRUST COMPANY et al...  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Denise E. Carlon on behalf of Loss Mitigation Bank of America, NA dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
George E Veitengruber, III on behalf of Joint Debtor Rita Cianci Gveitengruberessq@gmail.com,  
knapolitanol5@gmail.com  
George E Veitengruber, III on behalf of Debtor Giuseppe Cianci Gveitengruberessq@gmail.com,  
knapolitanol5@gmail.com  
Hubert C. Cutolo on behalf of Creditor Fox Chase IV, Phase II Condominium Association, Inc.  
hcutolo@cutololaw.com  
Jordan Seth Blask on behalf of Creditor PNC Bank, National Association jblask@tuckerlaw.com,  
agilbert@tuckerlaw.com;tbaldridge@tuckerlaw.com

TOTAL: 8